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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,371	11/06/2003	Amar G. Bose		8463

7590

04/06/2004

SATOWCLAYTONL  
12 Pleasantview Terrace  
Framingham, MA 01701

EXAMINER
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CARTER, MONICA SMITH

ART UNIT	PAPER NUMBER
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3722

DATE MAILED: 04/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/702,371

**Applicant(s)**

BOSE, AMAR G.

**Examiner**

Monica S. Carter

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1 is objected to because of the following informalities: in line 6, the proper punctuation (period) is missing at the end of the claim. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 5, "both surfaces" lacks proper antecedent basis since applicant has failed to previously claim the surfaces of the second plurality of adjacent sheets.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Sabella (6,703,096).

Sabella discloses a combination sheet pad comprising a first plurality of adjacent sheets (16), each sheet having on a portion of a surface a releasable adhesive (22) so that each of said first plurality of sheets is adhered to another of said first plurality of sheets; and a second plurality of adjacent sheets (11) having both surfaces substantially free of adhesive (as seen in figure 1).

Regarding claim 2, Sabella discloses the second plurality of sheets being removably attached to another of the second plurality of sheets (see col. 2, lines 38-40).

Regarding claim 3, Sabella discloses each of the second plurality of sheets being each removably attached to another of the sheets by edge encapsulation (21).

Regarding claim 4, Sabella discloses each of the second plurality of sheets being each removably attached to another of said sheets by a binding structure (21- the examiner considers the encapsulation to also be the binding structure).

Regarding claim 5, Sabella discloses a first indicator for identifying the first adjacent plurality and a second indicator for identifying said second adjacent plurality of sheets (see col. 3, lines 40-51 – a first color or design of the first plurality of sheets is different from a second color or design of the second plurality of sheets).

Regarding claim 6, Sabella discloses the first indicator is a first color of the edges of the first adjacent plurality of sheets and the second indicator is a second color of the edges of the second adjacent plurality of sheets (see col. 3, lines 40-51).

Regarding claim 7, Sabella discloses a plurality of sheets of sheet material, each sheet removably attached to an adjacent sheet, comprising;

a first portion of consecutive sheets (16) each having a pressure sensitive adhesive (22) on a surface so that each of said first portion is adhered to an adjacent one of said portion (as seen in figure 1); and a second portion of said consecutive sheets (11) having both surfaces substantially free of adhesive (as seen in figure 1).

Regarding claim 8, Sabella discloses each of the plurality of sheets being removably attached to the adjacent sheet by edge encapsulation (21).

Regarding claim 9, Sabella discloses a stack of sheet material, comprising:  
a plurality of sheets (combination of 11 and 16), a holding structure (21), for collectively holding said plurality of sheets; the plurality of sheets having a first portion of adjacent sheets (16), each sheet of the first portion having on a surface a pressure sensitive (22), releasable adhesive so that each of the first portion is releasably adhered to another of the first portion, and a second portion of adjacent sheets (11), each sheet of said second portion being substantially free of adhesive (as seen in figure 1).

Regarding claim 10, Sabella discloses the holding structure comprises an encapsulant (21).

Regarding claim 11, Sabella discloses the holding structure comprising a binding structure (21- the examiner considers the encapsulation to also be the binding structure).

Regarding claim 12, Sabella discloses a first indicator for identifying the first portion and a second identifier for identifying the second portion (see col. 3, lines 40-51

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– a first color or design of the first plurality of sheets is different from a second color or design of the second plurality of sheets).

Regarding claim 13, Sabella discloses the first identifier being a first color of the edges of the first portion and the second identifier is a second color of the edges of the second plurality of sheets (see col. 3, lines 40-51).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references disclose sheet material pads.

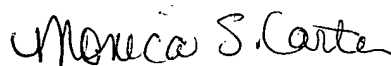
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica S. Carter whose telephone number is (703) 305-0305. The examiner can normally be reached on Monday-Thursday (7:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea L. Wellington can be reached on (703) 308-2159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 1, 2004

  
**MONICA S. CARTER**  
**PRIMARY EXAMINER**